

EXHIBIT A

OFFICE OF THE IMPARTIAL ARBITRATOR

ROGER E. MAHER
IMPARTIAL ARBITRATOR

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In the matter of the Arbitration between

THE NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS,
Union,

**MODIFIED ARBITRATOR'S
DEFAULT AWARD
Case #G2015-2531**

-against-
Tractel Inc., A/K/A Tractel Inc. Swing Stage E Div,
Respondent Employer.
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The above named Union and Employer are parties to a Collective Bargaining Agreement which provides for arbitration of disputes under said agreement before Arbitrator, Roger Maher.

In accordance with the terms of the underlying written agreement, the Civil Practice Law and Rules of the State of New York and the herein Notice of Intention to Arbitrate, dated 3/07/2017, the District Council of Carpenters scheduled a hearing at its office located at 395 Hudson Street, New York, for 4/26/2017, at 11:00 AM in order to determine the dispute between the parties. Said Notice advised the Employer that in the event of failure to appear at this hearing, the Arbitrator had the authority to proceed with the hearing and to issue an award on the basis of his evaluation of the evidence made available to him.

On , 4/26/2017, at the place and time designated at the aforesaid Notice of Hearing, Lydia Sigelakis, Esq. appeared on behalf of the Union and the Union submitted proof that the Employer had legally sufficient notice of this proceeding and the claims against.

There being no appearance on behalf of the Employer, nor any request for an adjournment or extension of time to appear, the undersigned found the Employer to be in default, and proceeded to hear the testimony and take evidence on the claims of the Union.

The issue submitted by the Union was:

"Whether the Employer violated the Collective Bargaining Agreement, Article 5, Sec. 5 and Article 13, Sec. 7, when it failed to notify the District Council of a job, located at 4 WTC, New York and performed covered work with non Union millwrights and failed to call for a shop steward ? And if so, what shall be the remedy?"

At the 4/26/2017 Hearing full opportunity was afforded the parties to be heard, offer evidence and argument. Pursuant to the foregoing and having heard and considered the proofs and allegations of the Union, the undersigned Arbitrator made the following Award.

AWARD

The Arbitrator finds the Employer, Tractel Inc. Swing Stage E Div, violated the Collective Bargaining Agreement, Article 5, Sec. 5 and Article 13, Sec. 7, when it failed to notify the District Council of a job, located at 4 WTC, New York and performed covered work with non Union millwrights and failed to call for a shop steward.

As and for the remedy, the Arbitrator directs the Employer, Tractel Inc. Swing Stage E Div, to pay directly to the NYC District Council of Carpenters the amount of \$ 3,286.08 (Three Thousand Two Hundred Eighty Six & 08/100) as penalty for violations of the CBA.

All checks should be delivered to:
Paul Tyznar, Director of Grievances
NYC District Council of Carpenters
395 Hudson Street
New York, NY 10014

Pursuant to the Collective Bargaining Agreement the parties have agreed to share the cost of the Arbitrator's fee. The Arbitrator's fee in the matter is Two Thousand dollars & 00/100 (\$ 2,000.00). Therefore, the Employer shall pay One Thousand & 00/100 dollars (\$1,000.00) and the Union shall pay One Thousand & 00/100 dollars (\$ 1,000.00) directly to the Arbitrator.

Dated: Brooklyn, New York

May 6, 2017



ROGER E. MAHER, Arbitrator

AFFIRMATION

STATE OF NEW YORK)
COUNTY OF KINGS)

We the undersigned under penalty of perjury affirms that he is the Arbitrator in the within proceeding and signed same in accordance with the arbitration law of the state of New York.



ROGER E. MAHER

Service List:

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